

FILED BY *[Signature]* D.C.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION
THOMAS W. COOK
CLERK, U.S. DISTRICT COURT
WD OF TN, MEMPHIS

05 AUG 30 AM 10:46

SHERRY MONTGOMERY,

Plaintiff,

Case No.: 04-2480 D AN

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER DISMISSING CASE FOR FAILURE TO PROSECUTE

Plaintiff, Sherry Montgomery, filed a *pro se* complaint pursuant to 42 U.S.C. § 405(g) seeking review of an adverse determination by the Administrative Law Judge. The court entered a briefing schedule on November 16, 2004, which provided as follows:

The issues in the above-referenced matter having been joined, it is hereby ordered that the following schedule shall be followed:

1. Appellant shall file a brief in support of the asserted claim within 30 days of the entry hereof.
2. Appellee's brief in response shall be filed within 30 days of the filing of the appellant's brief.
3. Reply brief may be filed within 10 days of the filing of appellee's response brief.

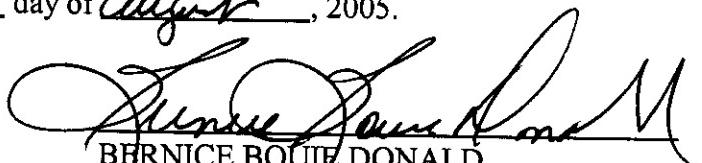
Appellant has failed to file a brief as ordered by the court, or to take any steps to prosecute her appeal.

This document entered on the docket sheet in compliance
with Rule 58 and 79(e), F.R.C.P on *08/30/05*

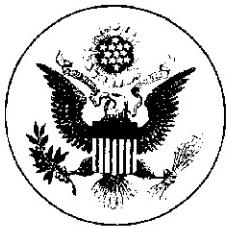
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Because Plaintiff has failed to abide by the court's order, Plaintiff's petition is hereby dismissed.

IT IS SO ORDERED this 29th day of August, 2005.



BERNICE BOUIE DONALD
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 16 in case 2:04-CV-02480 was distributed by fax, mail, or direct printing on September 7, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT